

AMENDMENTS TO THE CLAIMS

1. (Currently Amended) In an information storage apparatus capable of rotating a recording medium in a plurality of rotation modes, a method of storing data in the recording medium, the method comprising the steps of:

background-formatting the recording medium in a first rotation mode suitable for the background-formatting;

receiving a user request for writing user data in the recording medium during the background-formatting;

determining ~~whether~~ that the first rotation mode is not suitable for writing the user data in response to receipt of the user request;

~~if the first rotation mode is suitable for writing the user data, writing the user data to the recording medium;~~

when it is determined that [[if]] the first rotation mode is not suitable for writing the user data, rotating the recording medium in a second rotation mode and writing the user data to the recording medium; and

subsequently, if the background-formatting has not been completed, resuming the background-formatting in the first rotation mode after writing the user data to the recording medium.

2. (Previously Presented) The method of storing data as claimed in claim 1, wherein said recording medium formatted in said first rotation mode is rotated at a maximum rotating speed at which said information storage apparatus can store data in said recording medium.

3. (Previously Presented) The method of storing data as claimed in claim 1, wherein said first rotation mode is a constant linear velocity mode.

4. (Previously Presented) The method of storing data as claimed in claim 1, wherein said first rotation mode is a zone constant linear velocity mode.

5. (Previously Presented) The method of storing data as claimed in claim 1, further comprising a step of measuring time, in response to an end of storing data in said recording medium, wherein said step of resuming of formatting said recording medium is not performed until a predetermined period of time passes.

6. (Previously Presented) The method of storing data as claimed in claim 1, further comprising a step of measuring time, in response to an end of storing data in said recording medium, wherein formatting said recording medium is resumed in said second rotation mode before a predetermined period of time passes.

7. (Previously Presented) The method of storing data as claimed in claim 6, wherein after said predetermined period of time passes, said recording medium is set in said first rotation mode.

8. (Previously Presented) The method of storing data as claimed in claim 1, wherein said recording medium is a rewritable optical disc.

9. (Currently Amended) An information storage, comprising:

a motor configured to rotate a recording medium in a plurality of rotation modes;

a read/write head configured to read and write data to the recording medium; and

a controller configured to background-format the recording medium in a first rotation mode suitable for the background-formatting, receive a user request for writing user data in the recording medium during the background-formatting and determine ~~whether~~ that the first rotation mode is not suitable for writing the user data in response to receipt of the user request,

the controller further configured ~~to write, if the first rotation mode is suitable for writing the user data, the user data to the recording medium, to rotate, when it is determined that~~ [[if]] the first rotation mode is not suitable for writing the user data, the recording medium in a second rotation mode and write the user data to the recording medium, and to resume, if the background-formatting has not been completed, the background-formatting in the first rotation mode after writing the user data to the recording medium.

10. (Previously Presented) The information storage apparatus as claimed in claim 9, wherein said recording medium formatted in said first rotation mode is rotated at a maximum rotational speed at which said information storage apparatus can store data in said recording medium.

11. (Original) The information storage apparatus as claimed in claim 9, wherein said first rotation mode is a constant linear velocity mode.

12. (Original) The information storage apparatus as claimed in claim 9, wherein said first rotation mode is a zone constant linear velocity mode.

13. (Previously Presented) The information storage apparatus as claimed in claim 9, further comprising a timer which starts in response to an end of storing data in said recording medium, wherein said controller resumes formatting said recording medium after a predetermined period of time passes.

14. (Previously Presented) The information storage apparatus as claimed in claim 9, further comprising a timer which starts in response to an end of storing data in said recording medium, wherein said controller resumes formatting said recording medium in said second rotation mode ~~after~~before a predetermined period of time passes.

15. (Previously Presented) The information storage apparatus as claimed in claim 14, wherein after said predetermined period of time passes, said recording medium is set in said first rotation mode.

16. (Previously Presented) The information storage apparatus as claimed in claim 9, wherein said recording medium is a rewritable optical disc.

17. (Original) An information processing apparatus comprising the information storage apparatus as claimed in claim 9.

18. (Currently Amended) A computer readable medium storing a computer program for performing the steps of background-formatting a recording medium in a first rotation mode suitable for the background-formatting;

receiving a user request for writing user data in the recording medium during the background-formatting;

determining ~~whether~~ that the first rotation mode is not suitable for writing the user data in response to receipt of the user request;

~~if the first rotation mode is suitable for writing the user data, writing the user data to the recording medium;~~

when it is determined that [[if]] the first rotation mode is not suitable for writing the user data, rotating the recording medium in a second rotation mode and writing the user data to the recording medium; and

subsequently, if the background-formatting has not been completed, resuming the background-formatting in the first rotation mode after writing the user data to the recording medium.